

DATE: November 27, 2012

TO: Barbara Ross, Deputy Director
Department of Planning and Zoning

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2012-0075
Administrative Review for Change of Ownership
Site Use: Auto Sales Facility
Applicant: The Hertz Corporation
Location: 2412 Jefferson Davis Highway
Zone: I / Industrial

Request

Special Use Permit #2012-0075 is a request to change ownership of an existing automobile sales business from Alexandria Toyota and John E. Taylor to the Hertz Corporation. No changes to the operation are proposed, and the applicant expects to sell used cars from the Hertz rental fleet under the trade name of "Hertz Car Sales."

Background

The subject block adjacent to Oakville Industrial Park has been used for automobile sales since the 1960s. Lindsay Cadillac operated at the southern end of the block, and Alexandria Toyota operated on the northern end of the block, for many years until 2002. At that time, City Council granted one Special Use Permit (SUP#2002-0002) to Alexandria Toyota to expand its used car sales operation to include the entire block.

In 2008, staff administratively approved a change of ownership that allowed for the operation of a separate automobile sales business the northern end of the block under a separate SUP that was split off from the 2002 approval. Staff again administratively approved a change of ownership in 2011 for the northern property, but that business hasn't opened. Alexandria Toyota continued to operate at the southern end of the block under the 2002 SUP until it closed, according to City records, in October 2010. The current request will change ownership of the 2002 SUP only for 2412 Jefferson Davis Highway, the southern property on the block.

The subject site has been unoccupied since at least October 2010. Staff has not received any complaints that would require staff to docket the Special Use Permit for public hearing.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Del Ray Citizens Association, the Del Ray Business Association, and the Mount Jefferson Civic Association were sent an e-mail with information about the

current application. Staff has not received any comments from residents or adjacent businesses that would require staff to docket the Special Use Permit for public hearing.

Staff Action

Staff does not object to the change of ownership request. It understands that the applicant has signed a short-term lease that will still allow for the redevelopment of the property that seems likely as the immediate area changes with the completion of approved Potomac Yard projects. Staff hereby approves the Special Use Permit.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date:

Action:

Barbara Ross, Deputy Director

Attachments: 1) Special Use Permit Conditions
2) City Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2012-0075

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP#2002-0002)
2. **CONDITION AMENDED BY STAFF:** All vehicles stored on the lot ~~fronting Jefferson Davis Highway~~ shall be parked in a neat and orderly fashion at all times. (P&Z) (~~SUP #1232-D~~) (~~SUP #2582-A~~)
3. No vehicle repair work shall be done outside the building at any time. (P&Z) (T&ES) (SUP #1232-D) (SUP #2582-A)
4. **CONDITION AMENDED BY STAFF:** No vehicles shall be displayed, parked, loaded or unloaded, or stored on the public right-of-way, ~~except that vehicles shall be loaded and unloaded on Oakville Street only for 2514 Jefferson Davis Highway.~~ Tractor trailers shall use only major streets and avoid local neighborhood side streets when delivering vehicles to the site. (P&Z) (T&ES) (~~SUP#2002-0002~~)
5. No debris shall be discarded on the public right-of-way. (P&Z) (T&ES) (SUP #1232-D) (SUP #2582-A)
6. **CONDITION AMENDED BY STAFF:** ~~No streamers or banners shall be displayed at any time.~~ Signage shall be limited to advertising the general business conducted on the premises. No banners, streamers, flags, or similar advertising devices shall be displayed on the premises. (P&Z) (~~SUP#2002-0002~~)
7. Condition deleted. (SUP 2002-0002)
8. No junked, stripped, unlicensed or abandoned vehicles shall be kept on the property at any time. (P&Z) (SUP #1232-D) (SUP #2582-A)
9. The vehicle sales business shall be open from 8:00 A.M. to 9:00 P.M., Monday through Friday; from 9:00 A.M. to 6:00 P.M. on Saturday; and from 11:00 A.M. to 6:00 P.M. on Sunday, as requested by the applicant. (P&Z) (SUP#2002-0002)
10. **CONDITION AMENDED BY STAFF:** All vehicles shall be parked in accordance with the applicant's submitted site plan (SUP #2002-0002), dated January 2002, for 2412 Jefferson Davis Highway, ~~and in accordance with the approved site plan (Site Plan 92-009), dated March 24, 1992, for 2514 Jefferson Davis Highway. The applicant shall submit a single plan drawing which incorporates each of the above referenced partial site plans.~~ (P&Z) (SUP#2002-0002)

11. Condition deleted. (SUP 2002-0002)
12. Condition deleted. (SUP 2002-0002)
13. Condition deleted. (SUP 1232E)
14. The office trailer measuring 13 feet by 66 feet shall comply with all mechanical, electrical and plumbing codes. Such compliance will be verified by way of inspections and confirmed by the City Building Official. (Code) (SUP #1232-D)
15. **CONDITION AMENDED BY STAFF:** No more than 123 vehicles shall be offered for sale at any one time at 2412 Jefferson Davis Highway. No more than 18 vehicles shall be offered for rental at any one time at 2412 Jefferson Davis Highway. ~~No more than 85 vehicles shall be parked on the lot at 2514 Jefferson Davis Highway at any one time.~~ (P&Z) (SUP 2002-0002)
16. Condition deleted. (SUP 2002-0002)
17. Condition deleted. (SUP 2002-0002)
18. Condition deleted. (SUP 2002-0002)
19. Condition deleted. (SUP 2002-0002)
20. The applicant shall maintain existing landscaping in good condition, and provide and maintain in good condition landscaping, and repaint the light posts in a manner generally consistent with staff's plan (dated March 2002) to the satisfaction of the Director of Planning and Zoning. (City Council)
21. Condition deleted. (SUP 2002-0002)
22. Condition deleted. (SUP 2002-0002)
23. Condition deleted. (SUP 2002-0002)
24. Condition deleted. (SUP 2002-0002)
25. Condition deleted. (SUP 2002-0002)
26. Condition deleted. (SUP 2002-0002)
27. Condition deleted. (SUP 2002-0002)
28. Condition deleted. (SUP 2002-0002)
29. Condition deleted. (SUP 2002-0002)

30. Condition deleted. (SUP 2002-0002)
31. Condition deleted. (SUP 2002-0002)
32. Condition deleted. (SUP 2002-0002)
33. Condition deleted. (SUP 2002-0002)
34. **CONDITION AMENDED BY STAFF:** All loudspeakers shall be prohibited at the site and no amplified sound shall be audible outside. (P&Z) ~~(SUP #2582-A)~~
35. The applicant shall paint and maintain an outline around the area for the two emergency vehicle easements and shall paint the words “no parking” within each of those areas. (P&Z) (SUP#2002-0002)
36. Condition deleted. (SUP 2002-0002)
37. No vehicles shall be displayed, parked or stored in the emergency vehicle easements. (P&Z) (SUP #2582-A)
38. Condition deleted. (SUP 2002-0002)
39. Condition deleted. (SUP 2002-0002)
40. Condition deleted. (SUP 2002-0002)
41. Condition deleted. (SUP 2002-0002)
42. **CONDITION AMENDED BY STAFF:** ~~The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed.~~ The Director of Planning and Zoning shall review the Special Use Permit one year after approval, and shall docket the matter for consideration by the Planning Commission and City Council if: (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) ~~(SUP#2002-0002)~~

43. The exterior lighting shall be shielded or directed so as to confine the area of diffusion to the property which it is intended to illuminate, and the amount of the illumination shall not exceed 50 foot candles, reduction to 32 foot candles one hour after the end of business. Relocation of any light standards shall be to the satisfaction of the Director of Planning and Zoning. (City Council)
44. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
45. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (P&Z)
46. **CONDITION ADDED BY STAFF:** The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Office of Environmental Quality at 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (P&Z)
47. **CONDITION ADDED BY STAFF:** The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (P&Z)
48. **CONDITION ADDED BY STAFF:** Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2012-0035. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the general automobile repair business at 619 Burnside Place.

Applicant – Signature

Date

Applicant- Printed Name

Date